

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ERIC ALLEN TOWNSEND,

Petitioner,

v.

WARDEN, NOBLE CORRECTIONAL
INSTITUTION,

Respondent.

CASE NO. 2:19-CV-3629

CHIEF JUDGE ALGENON L. MARBLEY

Chief Magistrate Judge Elizabeth P. Deavers

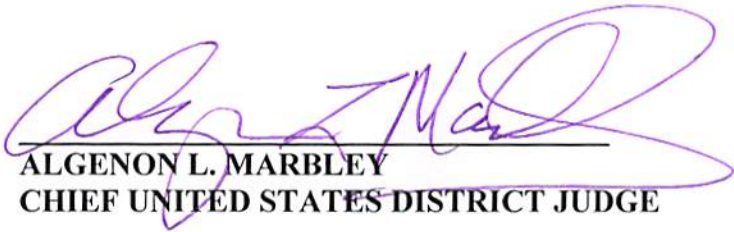
ORDER

On November 26, 2019, the Magistrate Judge issued a Report and Recommendation recommending that this action be dismissed without prejudice for want of prosecution pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. (ECF No. 5.) Although the parties were advised of the right to file objections to the Magistrate Judge's Report and Recommendation, and of the consequences of failing to do so, no objections have been filed.

The Report and Recommendation (ECF No. 5) is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED** without prejudice for want of prosecution.

Petitioner has waived his right to appeal by failing to file objections. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). The Court therefore **DECLINES** to issue a certificate of appealability.

IT IS SO ORDERED.


ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE